

**REMARKS**

Claims 1-10, 13, and 14 are pending in this application. By this Amendment, claim 8 is amended to delete the word "and." No new matter is added.

In paragraph 4, on page 3 of the Office Action, claims 1-10 and 13-14 are rejected on the ground of nonstatutory obviousness-type double patenting over claims 1-19 of U.S. Patent No. 6,756,972 to Komatsu et al. (Komatsu). The rejection is respectfully traversed.

As recognized by the Office Action, claims 1-19 of U.S. Patent No. 6,756,972 are not identical to claims 1-10 and 13-14 of the above-identified Application No. 09/819,920. However, contrary to the Office Action assertion, the subject matter of claims 1-10 and 13-14 of Application No. 09/819,920 is patentably distinct from the subject matter of claims 1-19 of U.S. Patent No. 6,756,972.

Specifically, the subject matter of claims 1 and 13 of U.S. Patent No. 6,756,972 is not directed to a sound data erasing device that erases the sound data from the sound data storage device if all of the written information is erased from the input area, as recited in claim 1, and similarly, a sound data erasing routine erasing the sound data from the sound data storage routine if all of the written information is erased from the input area, as recited in claim 8.

Also, the subject matter of claims 1 and 13 of U.S. Patent No. 6,756,972 is not directed to a sound data storing device that starts recording the sound data in association with the designated coordinate data in response to an output of the recording start signal and that ends recording in response to an output of the recording end signal; as recited in claim 1, and similarly, a sound data storing routine starting recording of the sound data in association with the designated coordinate data in response to an output of the recording start signal, and ending recording in response to an output of the recording end signal, as recited in claim 8.

In U.S. Patent No. 6,756,972, the subject matter of claims 1 and 13 is directed to an erasing unit that performs an erasing operation to erase the coordinate data stored in the

temporary storage device. But, the erasing of the coordinate data is not the same as the erasing of the sound data. Further, claims 1 and 13 of U.S. Patent No. 6,756,972 are silent as to a sound data storing device or sound data storing routine. Hence, there is no indication from claims 1 and 13 of a device or routine to record sound data or erase sound data. The only data indicated as being erased in claims 1-19 of U.S. Patent No. 6,756,972 is the coordinate data. Thus, the subject matter of claims 1 and 13 of U.S. Patent No. 6,756,972 cannot perform the same functionality for erasing the sound data from the sound data storage device as the subject matter of claims 1 and 8 of Application No. 09/819,920.

Because the subject matter of claims 1-10 and 13-14 of Application No. 09/819,920 is patentably distinct from the subject matter of claims 1-19 of U.S. Patent No. 6,756,972, a person of ordinary skill in the art would not conclude that the invention defined in claims 1-10 and 13-14 of Application No. 09/819,920 are an obvious variation of the invention defined in claims 1-19 of U.S. Patent No. 6,756,972. Thus, it is respectfully requested that the rejection be withdrawn.

In paragraph 6, on page 4 of the Office Action, claims 1-2, 8-9, and 13-14 are rejected under 35 U.S.C. §102(b) over U.S. Patent No. 6,353,193 to Atwood et al. (Atwood). The rejection is respectfully traversed.

Atwood fails to disclose or suggest an information recording and reproducing apparatus, comprising a recording mode selecting device that includes a recording position designating portion for designating a certain position in an input area; a recording switch that outputs a recording start signal and a recording end signal of sound data in response to a switching of the switch in response to the recording position designating portion indicating that the certain position is within a certain area of the input area; a coordinate on data detecting device that detects coordinate data of the certain position in the input area designated by the position designating portion; a designated coordinate data storing device

that stores the coordinate data detected by the coordinate data detecting device as designated coordinate data; a written information inputting device that includes an input position designating portion for inputting written information by designating the certain position in the input area, wherein the coordinate data detecting device detects coordinate data of a position designated by the position designating portion of the written information inputting device, wherein the written information inputting device further includes an erase designating portion for erasing the written information by designating the certain position in the input area; a sound data storing device that starts recording the sound data in association with the designated coordinate data in response to an output of the recording start signal and that ends recording in response to an output of the recording end signal; and a sound data erasing device that erases the sound data from the sound data storage device if all of the written information is erased from the input area, as recited in claim 1.

Also, Atwood fails to disclose or suggest a storage medium storing an information recording and reproducing program that can be read by a computer, the program comprising a coordinate data detecting routine detecting coordinate data of a designated position on an input area designated by a recording position designating portion of a recording mode selecting device that outputs at least one of a recording start signal and a recording end signal of sound data by switching of a switch in response to the recording position designating portion indicating that the certain position is within a certain area of the input area; a designated coordinate data storing routine storing the coordinate data detected by the coordinate data detecting routine as designated coordinate data; a sound data storing routine starting recording of the sound data in association with the designated coordinate data in response to an output of the recording start signal, and ending recording in response to an output of the recording end signal; an erasing detecting routine detecting coordinate data of a designated position on the input area designated by an erasure position designating portion of

an erasing mode selecting device that outputs an erasing start signal by switching the switch; and a sound data erasing routine erasing the sound data from the sound data storage device if all of the written information is erased from the input area, as recited in claim 8.

Contrary to the Office Action assertion, Atwood does not disclose a sound data storing device or a sound data erasing device. In Atwood, speaker 46 transmits an audio signal for positive feedback concerning the writing and erasing functions (col. 7, lines 12-16). But, step 206 described by Atwood (Fig. 13 of Atwood) does not start recording the sound data in association with the designated coordinate data in response to an output of the recording start signal and does not end recording in response to an output of the recording end signal.

Instead, an audio signal (i.e., a clicking sound) provides positive feedback to the user informing the user that the user is indeed in the correct mode when writing on the whiteboard (col. 10, lines 37-43; Fig. 13). As Atwood describes, in step 206, if the draw mode is selected, a draw sound (i.e., clicking sound) is generated and transmitted over speakers 46 (col. 10, lines 36-38). Also, in the erase mode, a different sound is made at step 220, such as a buzzing or humming sound to again provide positive feedback to the user informing the user that the user is actually in the erase mode (col. 10, lines 53-65; Fig. 13). The sounds transmitted over speakers 46 are pre-recorded sounds generated to inform the user when the user is in the correct mode, i.e., writing mode or erasing mode. Hence, the sound generated in step 206 does not start recording the sound data in association with the designated coordinate data in response to an output of the recording start signal and does not end recording in response to an output of the recording end signal, as recited in claim 1 and, similarly, recited in claim 8.

Also, in Atwood, the eraser function 30 and the narrow erase function 32 do not erase sound data (see Fig. 1 and 13, col. 6, lines 49-67 of Atwood). As Atwood teaches, the eraser

function 30 corresponds to the use of an eraser to erase a portion of the writing 16 and the narrow eraser function 32 corresponds to the user using his or her finger or some other smaller object to erase a portion of the writing 16 (col. 5, lines 48-65; Figs. 5-7 and 13). In other words, the user will write on the whiteboard surface 14 with a marker and prior to erasing the writing, the user will press the eraser function 30 and all subsequent touch inputs on the white board surface 14 will be interpreted by whiteboard electronics 42 as eraser strokes with a width of three inches (col. 6, lines 54-62). If the user presses narrow erase function area 32, subsequent inputs on whiteboard electronics 42 as eraser strokes with a 0.4-inch width (col. 6, lines 62-67). However, the eraser function 30 and the narrow erase function 32 do not erase sound data (see Fig. 1 and 13, col. 6, lines 49-67). Hence, Atwood does not disclose a sound data erasing device or routine, as recited in claim 1 and, similarly, as recited in claim 8.

Thus, Atwood does not literally disclose each and every feature of Applicant's claimed invention as recited in claims 1 and 8 and the rejection under 35 U.S.C. §102 is inappropriate. Further, for the reasons discussed, Atwood does not suggest the features as recited in claims 1 and 8.

Because Atwood does not anticipate or suggest the recited features of claims 1 and 8, Atwood cannot anticipate or suggest the subject matter of claims 2 and 13-14, which depend from claim 1 and the subject matter of claim 9, which depends from claim 8, for the reasons discussed with respect to claims 1 and 8 and for the additional features recited therein. It is respectfully requested that the rejection be withdrawn.

With respect to the rejection of claims 13 -14 as alleged in paragraph 12, on page 7 of the Office Action, it is unclear if the rationale for the rejection of claims 13-14 is an obviousness type analysis because the applied reference asserted in paragraph 12 is Imai not Atwood. For example, in paragraph 12, on page 8, the Office Action alleges, "Thus, it would

have been obvious to provide the recording switch is disposed on the digitizer." Regardless of the rational, neither Imai or Atwood nor the combination thereof, disclose or suggest the features as recited in claim 1 for the reasons discussed herein. Thus, claims 13-14 depending from claim 1 are patentable over the applied references.

In paragraph 14, on page 8 of the Office Action, claims 3-7 and 10 are rejected under 35 U.S.C. §103(a) over Atwood in view of U.S. Patent No. 5,818,436 to Imai et al. (Imai). The rejection is respectfully traversed.

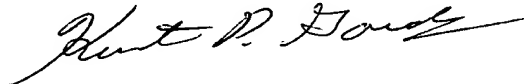
Imai fails to overcome the deficiencies of Atwood as applied to claims 1 and 8.

Accordingly, as the alleged combination does not teach, disclose or suggest all of the features recited in claims 1 and 8, the alleged combination cannot render obvious the subject matter of claims 3-7, depending from claim 1, and claim 10, depending from claim 8, for the reason discussed with respect to claims 1 and 8 and for the additional features recited therein. It is respectfully requested that the rejections be withdrawn.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-10 and 13-14 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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JAO:KPG/tbm

Attachment:  
Petition for Extension of Time

Date: June 26, 2006

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